

CHAPTER 258
FORMERLY
HOUSE BILL NO. 105
AS AMENDED BY
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO
MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §7003, Title 25 of the Delaware Code by re-numbering a new subsection (22) as follows:

“(22) ‘Tree’ for the purpose of Chapter 70 means a woody, perennial plant at least 25 feet in height or with a main stem a minimum of 6 inches in diameter.”

Section 2. Amend Chapter 70, Title 25 of the Delaware Code by adding to §7006(a)(13) a new subparagraph 1. which shall read as follows:

“1. Maintain, care for and remove, if necessary, trees on any lot, including common areas, if the tree is at least 25 feet in height or has a main stem/trunk larger than 6 inches in diameter. Such maintenance, care and removal means those steps required to maintain a live and healthy tree condition per standard horticultural practices in accordance with the standards as set forth by the American Association of Nurserymen.

1. Nothing contained in this subsection shall require the landlord to remove leaves, needles, pine cones, sap, pods, seed containers, or any such material normally produced by the tree as part of its life cycle.
2. The landlord must respect the privacy of the tenant and not enter the rented lot to maintain, care for, and/or remove trees without the permission of the tenant or an adult resident unless emergency circumstances exist and entry is required to prevent injury to person or damage to property.”

Section 3. Amend §7006(a)(13)c., Title 25 of the Delaware Code by deleting the phrase “and specify the duties of the tenant in maintaining the tenant’s own area of responsibility” from said subparagraph.

Approved May 14, 2010